

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION**

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|------------------------------|---|--------------------------------|
| RUSSELL, et al.              | ) |                                |
|                              | ) |                                |
|                              | ) |                                |
| Plaintiffs,                  | ) |                                |
|                              | ) | Case No. 4:19-cv-00226         |
| v.                           | ) | (Class Action)                 |
|                              | ) | The Honorable Lee H. Rosenthal |
| HARRIS COUNTY, TEXAS, et al. | ) | U.S. District Judge            |
|                              | ) |                                |
| Defendants.                  | ) |                                |
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**DECLARATION OF COLE LAUTERMILCH**

1. My name is Cole Lautermilch. I am an investigator for Civil Rights Corps.
2. On April 3, 2020, Senior Attorney Elizabeth Rossi requested that I and my colleague, Arjun Malik, who is an Investigative and Research Fellow at Civil Rights Corps, review the electronic case files for criminal cases recently filed in Harris County to determine how long a person arrested must wait for an adversarial hearing before a criminal district court judge.
3. I reviewed online case records for numerous cases filed on March 31, April 1, and April 2, involving a person who, at the time Mr. Malik or I retrieved the record, was required to pay secured money bail to be released, was not subject to any other apparent “holds,” was detained in the jail, and whose case was active.
4. Through my review, I identified approximately 20 cases in which the next court appearance was scheduled for sometime between May 6 and June 23, 2020. In each of these cases, a Preliminary Assigned Court Appearance (“PACA”) had been set within three calendar days of arrest, and there were no other scheduled appearances between the PACA and the court appearance scheduled for May or June.
5. In making these observations, Mr. Malik and I engaged in the following process.
  - a. We used the Harris County District Clerk electronic records website, [hcdistrictclerk.com](http://hcdistrictclerk.com), to search for public electronic records of criminal cases filed on March 31, April 1, or April 2, 2020, in Harris County.
  - b. We limited our search to active cases in which the person arrested was still detained in the Harris County Jail.

- c. We identified people in custody who were required to pay secured money bail as a condition of release and who were not subject to any other apparent “holds.”
- d. For a subset of cases described in Paragraph 5(c), I observed the dates of each person’s arrest, Preliminary Assigned Court Appearance (“PACA”), and next scheduled court appearance to identify approximately 20 in which the next court appearance was scheduled for May or June.

6. Mr. Malik and I used the “Print All” function to generate and preserve electronic copies of the online case records, as they existed at the time we viewed them, for each of the cases referenced in Paragraph 4 above.

I declare under penalty of perjury that the foregoing is true and correct to the best of my ability

Cole Lautermilch  
NAME

04/06/2020  
DATE